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101ST CONGRESS
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SENATE

REPORT
101-232

DE SOTO EXPEDITION TRAIL COMMISSION ACT OF 1989

DECEMBER 20, 1989.—Ordered to be printed

Filed under authority of the order of the Senate of November 22 (legislative day, November 6), 1989

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 555]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 555) to establish in the Department of the Interior the De Soto Expedition Trail Commission, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "De Soto Expedition Trail Commission Act of 1989".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the expedition of Hernando de Soto was the first major European exploration of the interior of the southeastern United States and that the chronicles of the expedition provide a rare description of indigenous Indian societies;

(2) knowledge gained as a result of the expedition contributed significantly to the subsequent exploration and colonization of the region;

(3) discovery of the first winter encampment in Tallahassee, Florida, is the most recent archaeological evidence of the De Soto expedition in the United States;

(4) the State of Florida has completed the marking of a commemorative De Soto trail and the State of Alabama has identified a commemorative trail to be marked by 1990;

(5) the De Soto Trail Commission of the Southeast Region has identified a recommended "Highway Route of the De Soto Expedition"; and

(6) official commemoration of the De Soto expedition will increase public awareness of early European exploration of the southeastern United States, en-

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courage further archaeological and historical research, and ultimately increase our knowledge of the early historic period of the southeastern United States.

(b) PURPOSE.—In furtherance of the findings set forth in subsection (a) of this section, it is the purpose of this Act to establish, through a Commission composed of individuals representing scholarly research and all concerned levels of government: (1) a commemorative highway route of the De Soto expedition, and (2) a comprehensive plan for the administration of such a highway route including associated public interpretive facilities.

TITLE I—DE SOTO EXPEDITION TRAIL COMMISSION

SEC. 101. ESTABLISHMENT.

(a) IN GENERAL.—To carry out the purposes of this title and to assist with the establishment of a commemorative highway route of the De Soto expedition, there is hereby established in the Department of the Interior the De Soto Expedition Trail Commission (hereinafter in this Act referred to as the "Commission"). The Commission shall exercise its responsibilities and authorities as provided in this Act with respect to that region of the southeastern United States comprising the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas (hereinafter in this Act referred to as the "involved States"). The Commission shall consist of 19 members, appointed by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") as follows:

(1) 10 members appointed from recommendations submitted by the Governors of the involved States, of which one shall represent each State;

(2) 4 members appointed from recommendations submitted by the De Soto Trail Commission of the Southeast Region;

(3) 2 members appointed from recommendations submitted by State Historic Preservation officers of one or more involved States, both of whom shall represent local or county historical commissions;

(4) 2 members appointed by the Secretary, of which one shall hold the position of superintendent, De Soto National Memorial and the other shall have knowledge and experience in the Spanish colonization of the southeastern United States; and

(5) 1 member appointed by the Secretary from recommendations submitted by the Smithsonian Institution.

(b) APPOINTMENT.—All members of the Commission shall be appointed for terms of two years, except that the terms of the 10 members appointed from recommendations submitted by the Governors of the involved States pursuant to subsection (a)(1) shall be for a term of four years.

(c) CHAIRPERSON.—The Commission shall elect a chairperson from among its members. The term of the chairperson shall be two years.

(d) TERMS.—Any member of the Commission appointed for a definite term may serve after the expiration of such term until a successor is appointed. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy shall serve for the remainder of the term for which its predecessor was appointed.

(e) QUORUM.—A simple majority of Commission members shall constitute a quorum.

(f) MEETINGS.—The Commission shall meet at least biannually or at the call of the chairperson or a majority of its members.

(g) COMPENSATION.—Members of the Commission shall serve without compensation as such. Members shall be entitled to travel expenses under section 5703, title 5, United States Code, when engaged in Commission business, including per diem in lieu of subsistence in the same manner as persons employed intermittently.

SEC. 102. FUNCTIONS OF THE COMMISSION.

(a) IN GENERAL.—The Commission shall—

(1) coordinate activities of Federal, State, and local governments and private businesses and organizations in order to further the commemoration of the De Soto expedition;

(2) recommend to the Secretary guidelines and standards consistent with standards established by the National Park Service for the commemoration of the De Soto expedition, including interpretive methods;

(3) submit to the Secretary, within two years after the date of enactment of this Act, recommendations pertaining to the identification and designation of a highway route of the De Soto expedition, interpretive facilities to appropriately commemorate Spanish exploration, and a detailed plan to administer such route and facilities; and

(4) provide advice and assistance with respect to the preparation of grant or loan applications to the Secretary as provided in section 105;

(b) ANNUAL REPORTS.—(1) The Commission shall submit an annual report to the Secretary describing the activities of the Commission, progress with respect to the designation of a commemorative highway route and establishment of interpretive facilities and setting forth expenses and income.

(2) The Secretary shall submit an annual report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives describing the Commission's activities. Such report shall specify research activities, progress with respect to commemorative route designation, a summary of loans, grants, and technical assistance provided by the Secretary under this Act, including the amount, recipient, and purpose of any loan, grants, and technical assistance so provided, as well as the anticipated funds and personnel to be made available by the Secretary during the next fiscal year to implement the provisions of the Act. Such report shall also include an analysis of the adequacy of actions taken during the previous year to: commemorate the De Soto expedition, conduct archeological and historical research, and publish information regarding the expedition and native cultures encountered by the expedition.

(c) EXPIRATION.—The Commission established pursuant to this title shall cease to exist four years after the date of enactment of this Act. Any property or funds of the Commission remaining upon the expiration of the Commission shall be transferred by the Commission to the United States, to a State or local government agency, to a private nonprofit organization exempt from income taxes under section 501(c)(3) of the Internal Revenue Code of 1986, or to any combination of the foregoing.

SEC. 103. STAFF OF THE COMMISSION.

(a) STAFF.—(1) The Commission shall have the power to appoint and fix the compensation of such staff as may be necessary to carry out its duties.

(2) Staff appointed by the Commission—

(A) shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(B) shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) EXPERTS AND CONSULTANTS.—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, but at rates determined by the Commission to be reasonable.

(c) STAFF OF OTHER AGENCIES.—(1) Upon request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out the Commission's duties.

(2) The Commission may accept the services of personnel detailed from one or more of the involved States (and any political subdivision thereof) and may reimburse the State(s) or political subdivision(s) for those services.

SEC. 104. POWERS OF THE COMMISSION.

(a) IN GENERAL.—The Commission may for the purpose of carrying out the provisions of this title hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may deem advisable.

(b) BYLAWS.—The Commission may make such bylaws, rules and regulations, consistent with this Act, as it considers necessary to carry out the purposes of this title.

(c) DELEGATION.—When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(d) TECHNICAL ADVISORY GROUPS.—The Commission may establish and appoint one or more technical advisory groups to provide technical advice in financing, interpretive facilities, tourism, publications, and intergovernmental coordination.

(e) DONATIONS.—Notwithstanding any other provision of law, the Commission may seek and accept donations of funds or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purpose of carrying out its duties.

(f) FUNDS FROM OTHER SOURCES.—The Commission may use its funds to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money.

(g) OBTAINING PROPERTY.—The Commission may obtain by purchase, rental, donation, or otherwise, such property, facilities, and services, as may be needed to carry out its duties except that the Commission may not acquire any real property or interest in real property.

SEC. 105. GRANTS AND LOANS.

(a) In furtherance of the purposes of this title, the Secretary, in consultation with the Commission, is authorized to make grants and loans for archeological and historical research and field investigations regarding the De Soto expedition, for purposes including, but not limited to: the location of the expedition route, recovery and preservation of archeological or historical materials, identification of encampment sites, and advancement of knowledge regarding Hernando de Soto, his expedition through the southeastern United States and the native cultures inhabiting the region during the period of the expedition.

(b) Prior to making any grant or loan the Secretary shall require a detailed cost estimate to be prepared for the project to be funded. Any loan made pursuant to this section shall be subject to such terms and conditions, including interest, as may be established by the Secretary, in consultation with the Commission.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

(a) For the purposes of carrying out the functions of the Commission, there are authorized to be appropriated such sums not to exceed $250,000.

(b) For the purposes of section 105, there are authorized to be appropriated such sums not to exceed $750,000.

TITLE II—HIGHWAY ROUTE OF THE DE SOTO EXPEDITION

SEC. 201. DESIGNATION OF THE ROUTE.

(a) DESIGNATION.—In order to provide for public appreciation, education, understanding, and enjoyment of the De Soto expedition and the native cultures encountered by the expedition, the Secretary, with the concurrence of the agency having jurisdiction over applicable public roads, and in consultation with the Commission, shall designate by publication of a description thereof in the Federal Register, a vehicular route along existing public roads paralleling as closely as practicable the route of the De Soto expedition. Such route shall be known as the Highway Route of the De Soto Expedition (hereinafter in this title referred to as the "Highway Route"), and shall be designated with appropriate markers and other informational displays to guide members of the public. The Secretary may provide funds to States or units of local government having jurisdiction over such roads so designated for such markers and other informational displays.

(b) INITIAL ROUTE.—The route as initially designated shall include that portion as designated by the State of Florida described as Florida Highway 64 from the De Soto National Memorial to Bradenton, thence U.S. Highway 301 to Bushnell, thence U.S. Highway 48 to Floral City, thence U.S. Highway 41 to Williston, thence Florida Highway 121 to Gainesville, thence Highway 90 to the Florida-Georgia State line and that portion proposed to be designated by the State of Alabama described as U.S. Highway 278 from the Georgia-Alabama State line to Piedmont, thence Alabama Highway 21 to Winterboro, thence Alabama Highway 76 to Childersburg, thence to U.S. Highway 231 to Montgomery, thence U.S. Highway 80 to Uniontown, thence Alabama Highway 61 to Greensboro, thence Alabama Highway 69 to Tuscaloosa, thence U.S. Highway 82 to the Alabama-Mississippi State line.

(c) ADDITIONAL SEGMENTS.—The Secretary may, in the manner set forth in section 201 of this title, designate additional segments of the Highway Route from time to time upon the recommendation of the Commission as provided by section 102(a)(3).

SEC. 202. TECHNICAL ASSISTANCE.

With respect to segments of the Highway Route, the Secretary may, in consultation with the Commission, provide technical assistance to States for the development of interpretive displays and materials in order to enhance public appreciation of the archeological, historical, and cultural values along the Highway Route.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums not to exceed $500,000 to carry out the purposes of this title. No funds made available under this title shall be used for the operation, maintenance, or repair of any road or related structure.

PURPOSE OF THE MEASURE

The purposes of S. 555, as ordered reported, are to establish the De Soto Expedition Trail Commission in the Department of the Interior and to designate the Highway Route of the De Soto expedition.

BACKGROUND AND NEED

Hernando de Soto led one of the most significant expeditions of the New World. Beginning in Florida in May 1539, and concluding on the banks of the Mississippi River in the State of Arkansas in 1542, De Soto led an expedition of 600 men, exploring significant portions of what are now the States of Florida, Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Mississippi and Arkansas.

A century before the first settlement at Jamestown, the Spaniards were aggressively exploring the region now consisting of Florida and including most of what is today the southeastern United States. Do Soto's expedition was the first large group of Europeans to explore so deeply into this region. While in the most narrow sense his journey was largely a failure—no Indian treasure was found nor was an inland route to Mexico located—De Soto's exploits left an important legacy for the Nation in general and the southeastern portion of the country in particular.

Last year, Congress enacted legislation designating the route followed by De Soto for study to determine its suitability for addition to the National Trails System. The draft report has been completed and the final report is due in the next few months. While the draft report concludes that the route does not retain enough historical integrity to warrant inclusion in the National Trails System, one of the options outlined in the report is the establishment of a commemorative highway route and a commission to coordinate the efforts of Federal, State and local governments, as well as the private sector, in commemorating the De Soto expedition.

LEGISLATIVE HISTORY

S. 555 was introduced by Senators Graham, Gore, Nunn and Pryor on March 9, 1989. The Subcommittee on Public Lands, National Parks and Forests held a hearing on measure on June 8, 1989.

At the business meeting on November 15, 1989, the Senate Committee on Energy and Natural Resources ordered S. 555, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on August 2, 1989, by unanimous vote of a quorum present, recommends that the Senate pass S. 555, if amended as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	

Mr. Bumpers
Mr. Ford
Mr. Metzenbaum
Mr. Bradley*
Mr. Bingaman*
Mr. Wirth*
Mr. Conrad
Mr. Heflin
Mr. Rockefeller*
Mr. McClure
Mr. Hatfield*
Mr. Domenici
Mr. Wallop
Mr. Murkowski*
Mr. Nickles*
Mr. Burns
Mr. Garn*
Mr. McConnell

*Indicates voted by proxy.

COMMITTEE AMENDMENT

During the consideration of S. 555, the Committee adopted an amendment in the nature of a substitute. In addition to making several minor clarifying changes, the amendment modifies the functions of the De Soto Expedition Trail Commission so that the Commission serves in an advisory role to the Secretary of the Interior. The amendment abolishes the De Soto Expedition Archeological and Historical Institute, and places all loan and grant authority with the Secretary. The Committee adopted these modifications to remove any uncertainty as to whether the bill violates the appointments clause of the Constitution.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the Act the "De Soto Expedition Trail Commission Act of 1989."

Section 2 contains the Congressional findings and purposes.

Title I—De Soto Expedition Trail Commission

Section 101 establishes the 19 member De Soto Expedition Trail Commission (the "Commission"). Subsection (a) provides for the appointment of the members of the Commission by the Secretary of the Interior (the "Secretary"). Ten members are to be appointed from recommendations submitted by the Governors of the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas, (the "involved States") with one member to represent each State. The remainder of the Commission is to consist of 4 members to be appointed from recommendations submitted by the De Soto Trail Commission of the Southeast Region, 2 members of local or county historical commissions appointed from recommendations submitted by State Historic Preservation Officers of the involved States, the Superintendent of the De Soto National Memorial, 1 member who shall have knowledge and experience in the Spanish colonization of the South-

eastern United States and 1 member appointed from recommendations submitted by the Smithsonian Institution.

Subsection (b) provides that Commission members shall serve a term of 2 years, except for the 10 members appointed from the recommendations of the Governors of the involved States, who shall serve terms of 4 years.

Subsection (c) directs the Commission to elect a Chairperson from among its members who shall serve a term of 2 years.

Subsection (d) allows a member whose term has expired to continue serving until a successor is appointed. All vacancies are to be filled in the same manner in which the original appointment was made.

Subsection (e) defines a quorum to consist of a simple majority of Commission members.

Subsection (f) requires the Commission to meet at least biannually or at the call of the Chairperson or by a vote of a majority of Commission members.

Subsection (g) provides that members of the Commission shall serve without compensation, but shall be provided with travel and per diem expenses.

Section 102 sets forth the functions of the Commission. Subsection (a) provides that the Commission shall coordinate activities of Federal, State and local governments and private enterprises to further the commemoration of the De Soto expedition.

Subsection (b) requires the Commission to submit an annual report to the Secretary describing the activities of the Commission. Paragraph (2) directs the Secretary to submit an annual report to the Senate Energy and Natural Resources Committee and the House Interior and Insular Affairs Committee describing the Commission's activities and providing detailed information on research activities, loan and grant assistance and technical assistance.

Subsection (c) provides that the Commission shall cease to exist 4 years after the date of enactment of this Act.

Subsection 103a authorizes the Commission to hire staff, in accordance with the provisions of title 5 of the United States Code.

Subsection (b) states that the Commission may procure temporary and intermittent services of experts and consultants.

Subsection (c) provides that the Commission may request the head of any Federal agency to detail available personnel to the Commission on a reimbursable basis. The Commission may also accept the services of personnel detailed from an involved State.

Section 104 sets forth the powers of the Commission. Subsection (a) states that the Commission may hold hearings, take testimony and receive evidence as it deems advisable.

Subsection (b) authorizes the Commission to make bylaws, rules and regulations consistent with this Act.

Subsection (c) provides that any member or agent of the Commission—when authorized by the Commission—may take any action which the Commission is authorized to take by this section.

Subsection (d) states that the Commission is authorized to seek and accept donations of funds or services from individuals, foundations, corporations and other private entities, as well as from public entities.

Subsection (f) provides that the Commission may use its funds to obtain money from any source under any program or law requiring the recipient to make a contribution in order to receive such money.

Subsection (g) authorizes the Commission to obtain property, facilities and services by purchase, rental, donation, or otherwise, except that the Commission may not acquire any real property or interest therein.

Subsection 105a provides that the Secretary may make grants and loans for archeological and historical research and field investigations regarding the De Soto expedition.

Subsection (b) requires the Secretary to prepare a detailed cost estimate of the project to be funded before making any grant or loan. The subsection also authorizes the Secretary to establish such terms and conditions, including interest, for loans made pursuant to this section.

Subsection 106a authorizes $250,000 for the Commission to carry out its functions.

Subsection (b) authorizes $750,000 for grants and loans made pursuant to section 105.

Title II—Highway route of the De Soto expedition

Subsection 201a establishes the Highway Route of the De Soto expedition, a vehicular route along existing public roads paralleling as closely as practicable the route of the De Soto expedition.

Subsection (b) designates the initial segment of the route, beginning from the De Soto National Memorial and continuing along specific highways and roads in the States of Florida and Alabama.

Subsection (c) provides that the Secretary may, from time to time designate additional segments of the Highway Route upon the recommendation of the Commission.

Section 202 states that the Secretary may, in consultation with the Commission, provide technical assistance to States for development of interpretive displays along the Highway Route.

Section 203 authorizes the appropriation of $500,000 to carry out the purposes of Title II. None of the funds appropriated under this title are to be used for the operation, maintenance or repair of any road or related structure.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 18, 1989.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 555, the De Soto Expedition Trail Commission Act of 1989, as ordered reported by the Senate Committee on Senate Committee on Energy and Natural Resources, November 15, 1989. Implementation of this bill would cost the federal government about

$1.5 million over the next four years, assuming appropriation of the necessary sums.

S. 555 would direct the Secretary of the Interior to designate a highway route commemorating the De Soto expedition in the southeastern United States. In order to assist the Secretary in this effort and coordinate federal and other commemorative activities, the bill would establish a 19-member commission within the Department of the Interior (DOI). The bill would authorize the Secretary, in consultation with the commission, to support state and private research and interpretive projects with technical and financial assistance; appropriations of $1.25 million would be authorized for such purposes. Additional appropriations of $250,000 would be authorized for commission expenses. The commission would expire four years after enactment. Assuming appropriation of the entire amounts authorized, the DOI and the commission would spend a total of $1.5 million through fiscal year 1994.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 555. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 555, as reported.

EXECUTIVE COMMUNICATIONS

On May 4, 1989, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth the Administrative's views on S. 555. These reports had not been received at the time the report was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing on S. 555 follows:

STATEMENT OF GERALD D. PATTEN, ASSOCIATED DIRECTOR, PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE

Mr. Chairman, I appreciate this opportunity to provide your Subcommittee with testimony on S. 555, the De Soto Trail Commission Act of 1989.

We oppose enactment of S. 555. Although we recognize the national historic significance of the De Soto expedition, we cannot

support the legislaiton's authorization of new Federal grants and loans for research purposes unrelated to park protection. We also understand that the Justice Department has serious concerns about this legislation's constitutionality.

The National Park Service has recently completed a draft feasibility study of the approximate route traveled by Hernando de Soto as authorized by the De Soto National Trail Study Act of 1987. The purpose of this study is to consider the suitability of the expedition route for national historic trail designation.

As a result of the study, the Service determined that the expedition is of national historical significance because it was the first major European exploration of the interior southeastern United States. Subsequent Spanish expeditions were planned on knowledge acquired during the expedition.

Although the expedition itself is of national historical significance, the route it followed unfortunately fails to meet the remaining two criteria for trail designation required by Section 5(b)(11) (A) and (C) of the National Trails System Act, as amended. Throughout the study, the Service determined that there is a lack of evidence regarding the actual route location and that potential for historic interpretation cannot be adequately assessed at this time. As a result of this conclusion, it has been recommended that until the actual location of the De Soto expedition route is determined, it does not qualify as a national historic trail. At its April 1989 meeting, the National Park System Advisory Board approved a resolution recommending against the designation of the De Soto trail as a national historic trail.

During the course of completing the feasibility study, the National Park Service analyzed several alternatives to an historic trail, including the establishment through special legislation of a commission to commemorate the De Soto expedition through designation of an existing highway, and the encouragement of additional future archeological research.

If enacted, S. 555 will authorize the Commission to:

1. Establish the De Soto Expedition Archeological and Historical Institute which will make loans and grants for archeological and historical research, and publish materials regarding the De Soto expedition and native cultures inhabiting the region during the early historical period.

2. Coordinate activities to further the commemoration of the De Soto expedition.

3. Develop guidelines and interpretive methods for the commemoration of the De Soto expedition.

4. Recommend to the Secretary which existing highways should be designated as commemorative of the expedition, and complete a plan for interpretation of the expedition.

5. Provide advice and assistance with loan or grant applications.

Mr. Chairman, we would be pleased to offer technical assistance and advice to States interested in commemorating the expedition through designation of existing highways (as Florida and Alabama have already done). However, we cannot support S. 555's establishment of a new Federally-funded institute making grants and loans to promote archeological and historical research. This is not consistent with the Park Service's primary mission of protecting the

resources of the National Park System, and would draw on Federal Funds that would be better spent on higher priority projects.

Finally, as I noted at the beginning of my statement, Mr. Chairman, the Justice Department has serious concerns regarding S. 555's constitutionality. We defer to the Justice Department with respect to this issue.

This concludes my prepared testimony, Mr. Chairman. I am prepared to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 555, as reported.

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